

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

The allowance of claims 1-12 and 15-17 is appreciatively noted.

The rejection of claims 13 and 14 under 35 U.S.C. §103 as allegedly being made “obvious” based on Kilkki ‘326 in view of Wilkinson ‘478 and in further view of Kari ‘682 is respectively traversed.

The Examiner’s commentary regarding the alleged relevance of Kilkki appears to focus only on the preamble of claims 13 and 14 rather than to the link manger and methodology which is the actual subject of these claims.

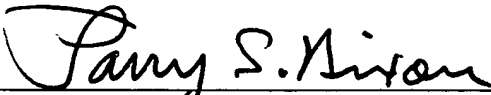
If Kilkki teaches a link manager, it surely does not include any suggestion for using each of eight available priority settings in a regular pattern, either by an individual user or by cycling between them. On the contrary, the passage at Kilkki at column 7, lines 51-60 clearly envisages that all cells from a given UNI 24 may be given the same priority level. Moreover, each UNI is autonomous in its allocation of priority and the selection of current bit rate (MBR) (e.g., see column 8, lines 10-11). This, of course, indicates that the bit rates vary between one user and another and from time to time in a way that is not pre-ordained.

Nevertheless, because the last action has been designated “final” and because the applicant wishes to proceed to allowance without further undue expense and delay, claims 13 and 14 have been canceled above so as to moot the outstanding grounds of rejection and place this entire application in allowable condition without further expense or delay.

POWERS et al.
Application No. 09/914,601
March 8, 2007

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Larry S. Nixon
Reg. No. 25,640

LSN:lmw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100